

EXHIBIT A

IN THE CIRCUIT COURT OF LOWNDES COUNTY, MISSISSIPPI

RECEIVED

ROYISA S. SPENCER

PLAINTIFF

v.

DEC 20 2023
TERESA BARKSDALE
CIRCUIT CLERK

CAUSE NO. 2023-0213-CW1H

ONEMAIN FINANCIAL

DEFENDANT

PLAINTIFF'S COMPLAINT FOR EMPLOYMENT DISCRIMINATION

COMES NOW, Plaintiff, ROYISA S. SPENCER, by and through counsel, filing this *Compliant for Employment Discrimination* in the above styled action against Defendant, OneMain Financial for relief from employment discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended ("Title VII"), and would show unto this Honorable Court the following:

I. PARTIES

1. Plaintiff, Royisa S. Spencer (hereinafter "Ms. Spencer"), is an adult female domiciliary of Macon, Mississippi. Ms. Spencer is a citizen of the United States and Mississippi.

2. OneMain Financial, Mississippi, (hereinafter "Defendant OneMain"), is a foreign limited liability corporation whose principal place of business is in Baltimore, Maryland. OneMain Financial is doing business in Columbus, Lowndes County, Mississippi and may be served with process of this court to C.T. Corporation System at 645 Lakeland East Drive, Suite 101 Flowood, MS 39232.

II. JURISDICTION AND VENUE

3. This suit is authorized and instituted pursuant to Title VII of the CIVIL RIGHTS ACTS of 1964, as amended, 42 U.S.C. §§ 2000, et seq.; THE CIVIL RIGHTS ACT OF 1866, 42 U.S.C. § 1981, 42 U.S.C. § 1983; and, the FIRST and FOURTEENH Amendments of the UNITED STATES CONSTITUTION. Jurisdiction is proper in this court because the actions giving rise to this complaint

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all happened in this jurisdiction. All defendant's live in or maintains offices in this jurisdiction.

III. EXHAUSTION OF ADMINISTRATIVE REMEDIES

4. Plaintiff timely filed charges of discrimination with the United States Equal Employment Opportunity Commission ("EEOC"). On or about September 22, 2023, the EEOC issued Ms. Spencer's Notice of Suit Rights.

5. Ms. Spencer has timely filed this action and has complied with all administrative prerequisites to bring this lawsuit.

IV. FACTUAL ALLEGATIONS

6. At all times material to this action, Ms. Spencer was employed by The OneMain Financial, Mississippi.

7. Ms. Spencer began her employment with Defendant OneMain in the fall of 2018.

8. Beginning in March 2021, Ms. Spencer expressed to her manager her concerns regarding her 2020 evaluations and her subsequent placement on Performance Improvement Plan after only two months when normally a Performance Improvement Plan is issued after three months.

9. Ms. Spencer further expressed the inconsistencies between her placement on a Performance Improvement plan and a Caucasian employee in the same position and having similar metrics as Ms. Spencer's metrics, non-placement on a Performance Improvement plan.

10. Ms. Spencer then spoke with an HR Representative, to report her concerns with her supervisors' decision making.

11. Since that time, Ms. Spencer's direct supervisors have made her work environment hostile and stressful, and denied her opportunities to advance within the company.

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12. Further, Ms. Spencer knows of two other Caucasian employees who have violated company policies and it was brought to the superiors' attention and they were not reprimanded.

13. Ms. Spencer further underwent severe discrimination during her employment. She was consistently monitored and treated differently than non-black employees.

14. Ms. Spencer avers that her mistreatment as an employee was a direct result of discrimination and all other reasons provided a pretext.

V. CLAIM FOR RELIEF

CLAIM 1: Discrimination Based on Race in Violation of Title VII of the Civil Rights Act of 1964

15. Ms. Spencer incorporates by reference as if fully set forth herein the allegations contained in paragraphs 1 through 13, above.

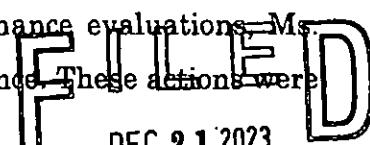
16. Title VII of the Civil Right Act of 1964 as amended, protects employees and job applicants from employment discrimination based on race, color, religion, sex and national origin. Title VII protection covers the full spectrum of employment decisions, including recruitment, selections, terminations, and other decisions concerning terms and conditions of employment.

17. Defendants' actions in the work environment, in the reprimand and refusal to allow Ms. Spencer to advance. Ms. Spencer, an African American Female, is in direct violation of Title VII of the Civil Right Act of 1964 as amended.

18. Less discriminatory alternatives existed to achieve Defendant's stated business purposes.

19. As a direct, legal and proximate result of the discrimination, Ms. Spencer has sustained, and will continue to sustain, economic and emotional injuries, resulting in damages in an amount to be proven at trial.

20. Although she had a history of positive performance evaluations, Ms. Spencer continues to be reprimanded and not allowed to advance. These actions were



motivated in whole or in part by Ms. Spencer race.

21. Defendants' unlawful actions were intentional, willful, malicious, and/or done with reckless disregard to Ms. Spencer's right to be free from discrimination based on race.

22. Ms. Spencer is entitled to her reasonable attorneys' fees and costs of suit.

23. The behavior by the above listed Defendants occurred when the Defendants were acting within the scope of their employment. Defendants' discriminatory practices have caused Ms. Spencer harm, including severe emotional distress and lost wages.

CLAIM 2: Retaliation Based Discrimination in violation of § 1981

24. Ms. Spencer allege and incorporate each of the factual allegations stated in paragraphs 1 through 23 above.

25. 42 U.S.C. § 1981 guarantees that all persons shall have the right to make and enforce contracts, including employment contracts free from all forms of discrimination on the basis of race and national origin. Section 1981 also prohibits retaliation against individuals who make complaints about racial discrimination in the creation and/or enforcement of contracts, including contracts for terms and conditions of employment.

26. The right to be free from racial discrimination in employment and retaliation for assertion of one's civil rights were both clear and well-established rights, known to each of the Defendants in this action throughout the time period of the allegations of this Complaint.

27. Ms. Spencer had a reasonable basis in law and fact and a federally-protected right to file his complaints against Defendants before the EEOC.

28. Although she had a history of positive performance evaluations, Ms. Spencer continues to be reprimanded. This reprimand was motivated in whole or in part by Ms. Spencer's claim.

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29. Defendants' unlawful actions were intentional, willful, malicious, and/or done with reckless disregard to Ms. Spencer's right to be free from discrimination based on retaliation

30. The behavior by the above listed Defendants occurred when the Defendants were acting within the scope of their employment. Defendants' discriminatory practices have caused Ms. Spencer's harm, including severe emotional distress and lost wages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for relief as follows:

1. For a declaration that Defendants' actions, policies, and practices as alleged herein are unlawful;
2. For lost wages and all other compensation denied or lost to Ms. Spencer by reason of Defendants' unlawful actions, in an amount to be proven at trial;
3. For compensatory damages for Ms. Spencer's emotional pain and suffering, in an amount to be proven at trial;
4. For liquidated damages;
5. For interest on lost wages, compensation, and damages, including pre- and post-judgment interest and an upward adjustment for inflation;
6. For an order enjoining Defendants from engaging in the unlawful acts complained of herein;
7. For reasonable attorneys' fees and costs of suit; and
8. For such other and further relief as this Court deems just and proper.

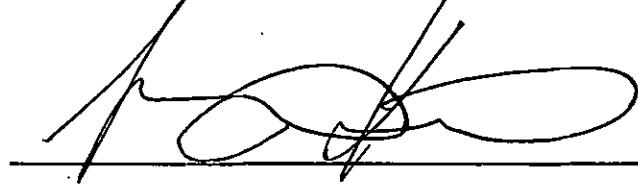
DEMAND FOR JURY TRIAL

Plaintiff demands a jury trial on all causes of action and claims to which she has a right to a jury trial.

Respectfully submitted this the 20 day of December, 2023.

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PLAINTIFF ROYISA S. SPENCER



By Rod G. Hickman

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Attorney for Plaintiff ROYISA S. SPENCER

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Jenna Bartelske
Circuit Clerk

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DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI

To: ONEMAIN FINANCIAL
C.T. Corporation System
645 Lakeland East Drive
Suite 101
Flowood, MS 39232

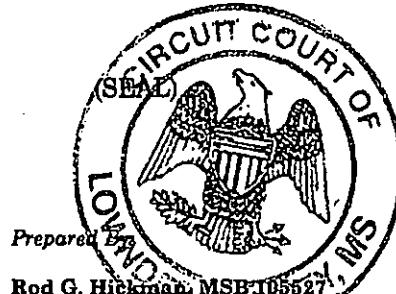
Or wherever they may be found

NOTICE TO DEFENDANTS

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS

You are required to mail or hand deliver a copy of a written response to the Complaint to Rod G. Hickman, the attorney for Plaintiff, whose address is P.O. Box 149, Macon, Mississippi 39341. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a Judgment by default may be entered against you for the money or other things demanded in the Complaint. You must file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of this Court, this the 10th day of January, 2024.



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Attorney for Petitioner

Teresa Barksdale
Clerk of Lowndes County, Mississippi
By: Kendall K. Thompson, D.C.